

REMARKS

Applicants have carefully reviewed and considered the Office Action dated March 30, 2005 and the references cited therein. Applicants have added new independent claim 21, which corresponds to claim 10 as filed rewritten in independent form. In the Office Action, the Examiner indicated that claim 10 was allowable. Applicants have also cancelled claims 7, 10, 12-16 and 18 without prejudice. After entry of the claim amendments, claims 1-6, 8, 9, 11, 17 and 19-21 will be pending. Applicants believe the application is in condition for allowance. Accordingly, favorable reconsideration in light of the foregoing amendments and the following remarks is respectfully requested.

In the Office Action, the Examiner objected to the drawings as failing to show the subject matter of claims 7 and 18. While applicants submit that the subject matter of claims 7 and 18 would be readily understood by one skilled in the art based on the specification and application drawings, applicants have cancelled claims 7 and 18 to expedite prosecution of the application. Such cancellation is without prejudice and applicants submit that the subject matter of claims 7 and 18 is within the scope of the present invention.

Claims 1-6, 8-9 and 11-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 2,528,280 to Lyon ("the Lyon patent"). Claims 7 and 17-20 stand rejected under 35 U.S.C. § 103 as being obvious over the Lyon patent itself or the Lyon patent in combination with U.S. Patent 4,687,408 to Klambauer or U.S. Patent 6,161,876 to Sabathie. Applicants respectfully submit that the invention as recited in pending independent claims 1, 5 and 17 is not taught or suggested by any of the references cited by the Examiner either alone or in combination.

Independent claim 1 recites a hydraulic port weld stud including a mounting body having a weld boss portion and a fitting mount portion with a cylindrical surface defined over an outer periphery of the fitting mounting portion. Independent claims 5 and 17 recite a hydraulic port weld stud including mounting body having a cylindrical weld boss portion and a cylindrical fitting mount portion. The provision of a cylindrical surface on the outer periphery of the fitting mount portion and/or a cylindrical weld boss and fitting mount portions permits the use of cylindrical stock material rather than rectangular stock material in the forming of the mounting body. The cylindrical stock is more easily turned down or machined and potentially reduces waste material. Thus, the use of cylindrical stock material reduces the overall manufacturing time and cost.

None of the references cited by the Examiner disclose a mounting body with a fitting mount portion having a cylindrical outer surface (claim 1) or cylindrical weld boss and fitting mount portions (claims 5 and 17). In the Office Action, the Examiner asserts that these elements of the claims are disclosed in the Lyon patent. Notably, however, the Examiner has not provided any specific citation as to where these claim elements element can be found in

the Lyon patent. In fact, the Lyon patent does not have any disclosure of the claimed fitting mount portion with a cylindrical outer surface or the claimed cylindrical weld boss and fitting mount portions.

All of the figures in the Lyon patent are side sectional views, which do not reveal the configuration of the fitting body portion 10 of the Lyon device. The specification does not provide any description of the outer configuration of the fitting body portion 10. Significantly, the Lyon patent discloses that the prior method for forming fittings like the Lyon fitting was to cut the fitting out of an integral block of metal. (See col. 1, lines 26-32). Thus, to the extent that the Lyon patent provides any suggestion as to how the fitting body portion 10 should be configured, the Lyon patent suggests that it should be rectangular or block-shaped. Accordingly, independent claims 1, 5 and 17 are patentable over the Lyon patent and the other references cited by the Examiner. Likewise, the claims depending from claims 1, 5 and 17 are allowable for at least the same reasons noted with respect to claims 1, 5 and 17.

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



Phillip M. Pippenger, Reg. No. 46,055
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: June 29, 2005